

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:13-cv-00215-MR  
(CRIMINAL CASE NO. 1:09-cr-00030-MR-1)

BRADLEY BRYANT SLAYTON,      )  
                                    )  
Petitioner,                      )  
                                    )  
vs.                              )                            30-DAY ORDER  
                                    )  
UNITED STATES OF AMERICA,    )  
                                    )  
Respondent.                    )  
                                    )

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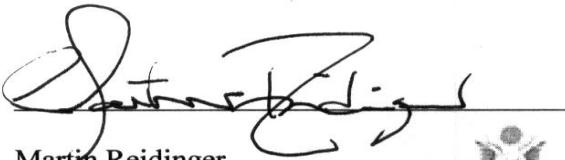
**THIS MATTER** is before the Court on Petitioner's Motion to Vacate, Set Aside or Correct Sentence under 28 U.S.C. § 2255 [Doc. 1]. Petitioner is represented by attorney Derrick R. Bailey.

In his motion, Petitioner alleges that he is entitled to relief in light of the Fourth Circuit's en banc decision in United States v. Simmons, 649 F.3d 237 (4th Cir. 2011), because the under the predicate offense used to convict him under 18 U.S.C. § 922(g)(1) no longer qualifies as a felony.

The Court determines that the United States Attorney shall file a response to Petitioner's allegations. The Court will direct that the United States file an Answer or other responsive pleading within thirty (30) days.

**IT IS, THEREFORE, ORDERED** that no later than thirty (30) days, the United States Attorney shall file an Answer or other responsive pleading to Petitioner's Motion to Vacate.

**IT IS SO ORDERED.**      Signed: May 29, 2014



Martin Reidinger  
United States District Judge

